

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION**

BARBARA SCHNEIDER,)	
)	
Plaintiff,)	
)	
v.)	Case No.
)	
TSYS TOTAL DEBT MANAGEMENT,)	
INC.,)	
)	
Defendant.)	Jury Demanded

COMPLAINT

INTRODUCTION

1. This action seeks redress for collection practices that violate the Fair Debt Collection Practices Act, 15 U.S.C. § 1692.

JURISDICTION AND VENUE

2. The Court has jurisdiction to grant the relief sought by the plaintiff pursuant to 15 U.S.C. § 1692k and 28 U.S.C. §§ 1331 and 1337. Venue in this District is proper in that defendant directed its collection efforts into the District.

PARTIES

3. Plaintiff Barbara Schneider is an individual who resides in Oak Creek, Wisconsin.

4. Plaintiff is a “consumer” as defined in the FDCPA, 15 U.S.C. § 1692a(3), in that defendant sought to collect from plaintiff a debt incurred for personal, family or household purposes.

5. Defendant Tsys Total Debt Management, Inc., (“TDM”) is a debt collection agency with offices in Georgia.

6. TDM is engaged in the business of collecting upon defaulted debts owed to others and incurred for personal, family or household purposes. TDM is a debt collector as defined in 15 U.S.C. § 1692a.

FACTS

7. On or about March 18, 2005, TDM sent Plaintiff a debt collection letter. See Exhibit A. Upon information and belief, this is the first letter sent by Defendant to Plaintiff.

8. Upon information and belief, there is no such creditor as “Target”, except perhaps Target Corporation.

9. In fact, there are a number of corporations whose name begin with “Target” including:

- Target Bank (UT)
- Target Brands, Inc. (MN)
- Target Bridges, Inc. (DE)
- Target Capital Corporation (MN)
- Target Commercial Interiors, Inc. (MN)
- Target Connect, Inc. (MN)
- Target Customs Brokers, Inc. (MN)
- Target Foundation (a MN not-for-profit organization)
- Target Global Trade, Inc. (MN)
- Target Insurance Agency, Inc. (MN)
- Target National Bank (a national banking association)
- Target Technology Services India Private Limited (India)
- Target Receivables Corporation (MN)
- Target Services, Inc. (MN)
- Target Stores, Inc. (MN)

10. Upon information and belief, TDM was collecting on behalf of Target National Bank.

COUNT I—FDCPA

11. Plaintiff incorporates the above numbered paragraphs by reference.

12. TDM has failed to state the name of the creditor to whom the debt is owed.

13. TDM has therefore violated 15 U.S.C. § 1692g(a)(2), by failing to state the name of the creditor to whom the debt is owed.

CLASS ALLEGATIONS

14. Plaintiff brings this claim on behalf of a class, consisting of (a) all natural persons in the State of Wisconsin (b) who were sent a collection letter by TDM asserting a debt owed to “Target,” (c) seeking to collect a debt for personal, family or household purposes, (d) on or after March 18, 2005, (e) that was not returned by the postal service.

15. The class is so numerous that joinder is impracticable. On information and belief, there are more than 50 members of the class.

16. There are questions of law and fact common to the members of the class, which common questions predominate over any questions that affect only individual class members. The predominant common question is whether “Target” is the name of the creditor to whom the debt is owed, as represented by the defendant.

17. Plaintiff’s claims are typical of the claims of the class members. All are based on the same factual and legal theories.

18. Plaintiff will fairly and adequately represent the interests of the class members. Plaintiff has retained counsel experienced in consumer credit and debt collection abuse cases.

19. A class action is superior to other alternative methods of adjudicating this dispute. Individual cases are not economically feasible.

WHEREFORE, plaintiff requests that the Court enter judgment in favor of plaintiff and against defendant for:

- a. Statutory damages;

- b. Attorney's fees, litigation expenses and costs of suit;
- c. Such other or further relief as the Court deems proper.

JURY DEMAND

Plaintiff demands trial by jury.

Respectfully submitted,

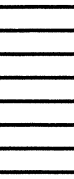
S/ Robert K. O'Reilly
Robert K. O'Reilly (SBN 1027032)
John D. Blythin (SBN 1046105)
Richard Lilly (SBN 1027011)
ADEMI & O'REILLY, LLP
3620 East Layton Avenue
Cudahy, Wisconsin 53110
roreilly@ademilaw.com
(414) 482-8000
(414) 482-8001 (FAX)

EXHIBIT A

PO BOX 6700
NORCROSS GA 30091-6700



TDM
TSYS TOTAL DEBT MANAGEMENT, INC.
PO BOX 6700
NORCROSS, GA 30091-6700



8:00 am - 9:00 pm M-F (EST)
8:00 am - 2:00 pm Sat (EST)

259



03/18/2005

BARBARA A SCHNEIDER
8315 S YORKSHIRE DR APT 4
OAK CREEK WI 53154-3569

CLIENT: TARGET
ACCOUNT: 4352373387190090
TDM ACCOUNT: 15019383
BALANCE: \$5024.13

This company has been employed concerning the need to clear your past due account balance. If you cannot make full payment, please contact our office at (866) 490-9777 to make payment arrangements.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice, this office will: obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request from this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

The Balance above is the amount owed as of the date of this letter. Depending upon your account agreement with the creditor, interest, late charges and other charges may continue to accrue on your account. Therefore, the amount due on the date you pay may be greater. If you pay the Balance above and an additional payment is required for your account to be closed as paid in full, we will attempt to contact you again.

Very truly yours,

TSYS TOTAL DEBT MANAGEMENT, INC

THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. THIS IS A COMMUNICATION FROM A DEBT COLLECTOR. THIS COLLECTION AGENCY IS LICENSED BY THE OFFICE OF THE ADMINISTRATOR OF THE DIVISION OF BANKING P.O. BOX 7876, MADISON, WISCONSIN 53707

Please detach and return this portion with remittance

L320

TARGET
TDM CLIENT ACCOUNT
PO BOX 1098
COLUMBUS GA 31902-1098



CLIENT:	TARGET
NAME:	Barbara A Schneider
CLIENT ACCOUNT:	4352373387190090
TDM ACCOUNT:	15019383
BALANCE:	\$5024.13
AMOUNT ENCLOSED:	